

CONGRESSIONAL RECORD SUMMARY

Wednesday, November 13, 2002

SENATE

S. Res. 355 - Senate National Security Working Group:

Senate agreed to S. Res. 355, extending the authorities relating to the Senate National Security Working Group.

Pages S 10959, D 1139

H.R. 3340 - Thrift Savings Plan Contributions:

Senate passed H.R. 3340, to amend title 5, United States Code, to allow certain catch-up contributions to the Thrift Savings Plan to be made by participants age 50 or over, and to reauthorize the Merit Systems Protection Board and the Office of Special Counsel, clearing the measure for the President.

Pages S 10959-60, D 1139

S. 3044 - Court Services and Offender Supervision Agency Interstate Supervision Act:

Senate passed S. 3044, to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release.

Pages S 10960, D 1139

S. 3067 - Government Information Security Reform Act:

Committee on Governmental Affairs was discharged from further consideration of S. 3067, to amend title 44, United States Code, to extend certain Government information security reform for one year, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S 10967-68, D 1140

Durbin (for Thompson) Amendment No. 4905, in the nature of a substitute.

Pages S 10967-68, D 1140

H.R. 5005 - Homeland Security Act:

Senate resumed consideration of H.R. 5005, to establish the Department of Homeland Security, taking action on the following amendments proposed thereto:

Pages S 10856-58, S 10874-75, D 1140

Rejected:

Lieberman Amendment No. 4471, in the nature of a substitute. (By 50 yeas to 47 nays (Vote No. 241), Senate tabled the amendment.)

Pages S 10856, D 1140

Feingold Amendment No. 4900, to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2003 (By 58 yeas to 36 nays (Vote No. 242), Senate tabled the amendment.)

Pages S 10857-58, D 1140

Pending:

Thompson (for Gramm) Amendment No. 4901, in the nature of a substitute.

Pages S 10874-75, D 1140

H.R. 5005 - Homeland Security Act (Cont.):

Lieberman/McCain Amendment No. 4902 (to Amendment No. 4901), to establish within the legislative branch the National Commission on Terrorist Attacks Upon the United States.

Pages S 10874-75, D 1140

During consideration of this measure today, Senate also took the following actions:

Pursuant to the order of November 12, 2002, **Senate agreed to the motion to proceed to the motion to reconsider the vote by which the Senate failed to invoke cloture on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471)**, listed above; following which, Senate then agreed to the motion to reconsider. By 89 yeas to 8 nays (Vote No. 240), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to invoke cloture on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), of a perfecting nature.

Pages S 10856, D 1140

The following motion to commit and amendment Nos. 4742 and 4743 fell when cloture was invoked on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), listed above:

Daschle motion to commit the bill to the Committee on Governmental Affairs and that it be reported back forthwith with the pending Lieberman Amendment No. 4471, listed above, as amended.

Pages S 10856, D 1140

Daschle Amendment No. 4742 (to the instructions of the motion to commit H.R. 5005 to the Committee on Governmental Affairs), of a perfecting nature, to prevent terrorist attacks within the United States.

Pages S 10856, D 1140

Daschle Amendment No. 4743 (to Amendment No. 4742), to modify certain personnel provisions.

Pages S 10856, D 1140

The following amendment Nos. 4738 and 4740 fell when Lieberman Amendment No. 4471, listed above, was tabled:

Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), of a perfecting nature, to prevent terrorist attacks within the United States.

Pages S 10856, D 1140

Nelson (NE.) Amendment No. 4740 (to Amendment No. 4738), to modify certain personnel provisions.

Pages S 10856, D 1140

A motion was entered to close further debate on Thompson (for Gramm) Amendment No. 4901, listed above and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, November 15, 2002.

Pages S 10875, D 1140

A motion was entered to close further debate on the bill H.R. 5005 and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, November 15, 2002.

Pages S 10875, D 1140

H.R. 4546 - Department of Defense Authorization--Conference Report:

Senate agreed to the conference report on H.R. 4546, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, clearing the measure for the President.

Pages S 10858-74, D 1140-41

S. 1214 - Port and Maritime Security Act--Agreement:

A unanimous-consent-time agreement was reached providing for consideration of the conference report on S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, at 9:30 a.m., on Thursday, November 14, 2002, with a vote on adoption of the conference report to occur at approximately 10:30 a.m; following which, Senator Santorum will be recognized to propound a unanimous consent agreement relating to the Care Act.

Pages S 10959, D 1141

Committee Meetings for Thursday, November 14, 2002:

Committee on the Judiciary: @ 10:00 a.m. Business meeting to consider pending calendar business. SD-226.

Committee on the Judiciary: @ 2:00 p.m. Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the current state of national preparedness against terrorism, focusing on the October 2002 Hart- Rudman Terrorism Task Force Report. SD-226.

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HOUSE

Measures Introduced:

H.R. 5716. A bill *to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year*; referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Boehner

Page H 8731

H. Res. 605. *Resolution waiving points of order against the conference report to accompany the bill (S. 1214) to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes.*

Diaz-Balart

Page H 8732

H. Res. 606. *Resolution waiving points of order against the conference report to accompany the bill (H.R. 333) to amend title 11, United States Code, and for other purposes.*

Sessions

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H. Res. 607. *Resolution waiving points of order against the conference report to accompany the bill (H.R. 3210) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism.*

Sessions

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Reports Filed:

Reports were filed today as follows:

Conference report on S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports (**H. Rept. 107-777**);

H.R. 5215, to protect the confidentiality of information acquired from the public for statistical purposes, and to permit the exchange of business data among designated statistical agencies for statistical purposes only, amended (**H. Rept. 107-778**);

Conference report on H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism (**H. Rept. 107-779**);

H. Res. 605, waiving points of order against the conference report to accompany **S. 1214**, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports (**H. Rept. 107-780**);

H. Res. 606, waiving points of order against the conference report to accompany **H.R. 333**, to amend title 11, United States Code (**H. Rept. 107-781**);

H. Res. 607, waiving points of order against the conference report to accompany **H.R. 3210**, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism (**H. Rept. 107-782**);

Pages H 8561-90, H 8722-28, H 8731, D 1143

Executive Communications:

EC - 9972. A letter from the Attorney General, Department of Justice, transmitting *a report required by Section 310 of the Intelligence Authorization Act for FY 2002, pursuant to Public Law 107--108*; to the Committee on Intelligence (Permanent Select).

Page H 8731

H.J. Res. 124 - Making Further Continuing Appropriations Through January 11:

The House passed H.J. Res. 124, making further continuing appropriations for the fiscal year 2003, by recorded vote of 270 yeas to 143 nays, Roll No. 474.

Pages H 8554-61, D 1143

Rejected the Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back to the House forth with amendments by a yeas-and-nays vote of 196 yeas to 216 nays, Roll No. 473.

Pages H 8559-61, D 1143

H.R. 5710 - Establishment of the Department of Homeland Security:

The House passed H.R. 5710, to establish the Department of Homeland Security by a yeas-and-nays vote of 299 yeas to 121 nays, Roll No. 477.

Pages H 8595-H 8722, D 1143-44

“...TITLE XIII - FEDERAL WORKFORCE IMPROVEMENT

Sec. 3524. Effect of subsequent employment with the Government

(a) The term ‘employment’—...

...(3) If the employment under this section is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position...”

Page H 8639

H.R. 5710 - Establishment of the Department of Homeland Security (Cont.):

Sec. 3525. Regulations.

(2) Administrative Office of the United States Courts.--The Director of the Administrative Office of the United States Courts may, by regulation, establish a program substantially similar to the program established under paragraph (1) for individuals serving in the judicial branch..."

Page H 8640

Sec. 1322. ADJUSTMENT OF LIMITATION ON TOTAL ANNUAL COMPENSATION.

(a) In General.--Section 5307 of title 5, United States Code, is amended by adding at the end the following:

(4) Notwithstanding any provision of paragraph (3), any regulations, certifications, or other measures necessary to carry out this subsection with respect to employees within the judicial branch shall be the responsibility of the Director of the Administrative Office of the United States Courts. However, the regulations under this paragraph shall be consistent with those promulgated under paragraph (3)...

Page H 8640-41

Rejected the Roemer motion to recommit the bill to the Select Committee on Homeland Security with instructions to report it back forthwith with an amendment that establishes a National Commission on Terrorist Attacks Upon the United States by a yea-and-nay vote of 203 yeas to 215 nays, Roll No. 476.

Pages H 8718-21, D 1144

The House agreed to H. Res. 600, the rule that provided for consideration of the bill by a yea-and-nay vote of 237 yeas to 177 nays, Roll No. 475.

Pages H 8590-94, D 1144

H. Res. 449 - Proceedings of the Select Committee on Homeland Security:

Agreed that notwithstanding section 7 of H. Res. 449, that Representative Armev be permitted through the end of the 107th Congress to submit the proceedings of the Select Committee on Homeland Security for printing pursuant to clause 1(c) of rule 11 of the Rules of the House of Representatives for the 107th Congress.

Pages H 8722, D 1144

Committee Meetings:

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany **S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports**, and against its consideration. The rule provides that the conference report shall be considered as read.

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Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany **H.R. 333, to amend title 11, United States Code and against its consideration**.

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany **H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism and against its consideration**. The rule provides that the conference report shall be considered as read.

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Committee Meetings (Cont.):

Committee on Rules: Granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The resolution applies the waiver to any special rule reported on the legislative day of Thursday, November 14, 2002, providing for consideration or disposition of a **conference report to accompany H.R. 4628, to authorize appropriations for fiscal year 2003 for intelligence and intelligence- related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.**

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Next SENATE MEETING: Thursday, 9:30 a.m., November 13, 2002.

Next HOUSE MEETING: Thursday, 11:00 a.m., November 13, 2002.

OLA: S. Schwarz, A. Santos